

# **VILLAGE OF BARRINGTON HILLS**

## **Minutes of the Regular Meeting of the Board of Trustees Monday, October 22, 2012**

President Abboud called the Regular Meeting to order at 6:42 p.m. Roll Call.

### Present

Robert G. Abboud, President  
Fritz H. Gohl, President Pro Tem  
Elaine M. Ramesh, Trustee (arrived 7:25)  
Joseph S. Messer, Trustee  
Karen S. Selman, Trustee  
Patty Meroni, Trustee  
Harold Gianopulos, Trustee (arrived 6:50)

Michael Murphy, Police Chief  
Dan Strahan, Village Engineer  
Doug Wambach, Village Attorney  
Dolores G. Trandel, Village Clerk

### Guests

Julie Joyce, resident  
Brian Dunlop, resident  
Jim Hammond, resident  
Jerome & Linda Lagod, residents  
Carl & Jacqueline Lowry, residents  
Charles & Mary Ellen Peterson, residents  
Steve Kim, resident  
Pauline Boyle, resident  
Pamela Miller, resident  
Don Higgins, resident  
Divyang Joshi, resident  
Terri Holt, resident  
John Clark, Village Prosecuting Attorney  
James Kelly, Special Counsel  
Nancy Schumm, Consultant

Trustee Meroni motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:43 p.m. Trustee Gohl seconded. Roll Call.

Ayes: 5 (Selman, Meroni, Messer, Gohl & Abboud)

Nays: 0

Absent: 2 (Gianopulos & Ramesh)

**Meeting Adjourned**

### **EXECUTIVE SESSION**

### **PUBLIC SESSION**

President Abboud called the Public Meeting to order at 7:48 p.m.

## **APPROVAL OF MINUTES**

Trustee Meroni motioned to approve the Minutes of the September 24, 2012 meeting. Trustee Selman seconded. All present said Aye. Trustee Messer and President Abboud abstained

**Motion Approved**

Trustee Gohl made the motion to approve the September 24, 2012 Executive Minutes, Trustee Meroni seconded. All present said Aye. Trustee Messer and President Abboud abstained

**Motion Approved**

Trustee Meroni made the motion to dispose the Executive Session Meeting Recordings of January 24, 2011. Trustee Selman seconded. All present said Aye.

**Motion Approved**

## **FINANCE – Karen S. Selman**

Treasurer's Report - Trustee Selman motioned to accept the Treasurer's Report for September, 2012. Trustee Ramesh seconded. All present said Aye.

**Motion Approved**

Police Pension Board Report - Trustee Selman motioned to accept the Police Pension Board Report for September, 2012. Trustee Meroni seconded. All present said Aye.

**Motion Approved**

Overtime Reports - Trustee Selman made the motion to accept the Overtime Report from September 16, 2012 through October 15, 2012 totaling \$4,633.19. Trustee Gianopulos seconded. Roll Call.

Ayes: 7 (Gianopulos, Selman, Meroni, Messer, Ramesh, Gohl & Abboud)

Nays: 0

Absent: 0

**Motion Approved**

Bills for Approval - Trustee Selman motioned to approve the bills for the month of September 16, 2012 to October 15, 2012, totaling \$235,922.07. Trustee Meroni seconded. Roll Call.

Ayes: 7 (Gianopulos, Selman, Meroni, Messer, Ramesh, Gohl & Abboud)

Nays: 0

Absent: 0

**Motion Approved**

Trustee Selman advised that the Finance Committee met on October 18<sup>th</sup> and the budget for FY 2013 will be presented at the November Board meeting

## **ROADS & BRIDGES – Patty Meroni**

### Monthly Report

2012 Road Construction Program - The construction program is complete. The only open items remaining are the ones with the contractor, which should be completed in October.

Rt. 14/Hart Road Intersection Improvements - On Tuesday, October 16, 2012, Village Engineer, Dan Strahan and Trustee Meroni met with the two residents whose properties will be impacted by the widening and lane additions. Dan discussed the potential impacts to the zoning characteristics of each lot and recommended a roadway easement so that each lot would retain its current standing as a "lot of record".

Both residents were receptive to Dan's suggestion. They will be back in touch with us as they are approached by Lake County.

Longmeadow Parkway - Kane County also has a 2040 Plan and included in their "Fiscally Constrained Plan" is Phase Two Engineering (2014-2015) and ROW Acquisition (2012-2013).

The proposed two lane roadway with four lane bridge super structure has been on the back burner and whether it will ever come to fruition in the current economic climate remains to be seen. Funding for the engineering phase is in place.

A meeting is scheduled for Thursday, November 1<sup>st</sup> at 7:00 p.m. at the Village Hall for the residents of the area who will be directly or peripherally impacted.

Nicor/Helm Road - The Nicor Gas pipeline installation has been completed.

IAA/East Dundee - On Monday, October 15, 2012, Trustee Meroni attended the East Dundee Board of Trustees meeting along with several of our Trustees, Janet Agnoletti of BACOG staff, and 50-60 Barrington Hills residents.

The result of numerous comments and entreaties for East Dundee to examine in greater detail the IAA project postponement of a vote to approve until the regular BOT meeting in November.

The Village is working on further information and meetings with East Dundee.

2013 Preliminary Budget - The preliminary budget has been drastically reworked and the scope of the 2013 Road Maintenance reduced to include Spring Creek Road, Haegers Bend Road patching, and Spring Creek Road and Creekside Lane culverts.

This brings Roads and Bridges in line to hold the levy.

Future road maintenance must be considered a priority as there are roads that have already been deferred.

Traffic Count 2012 – Trustee Meroni advised we will have a complete count by the end of the year. The cost for this project is \$11,970.00.

## **PUBLIC SAFETY – FRITZ H. GOHL**

Monthly Report – Trustee Gohl presented the monthly report.

Union Negotiations – President Abboud advised that the Union will be delivering their final arbitration demands by the end of November. Once the Union releases arbitration, the Board will have twenty consecutive days to make a decision on each demand. There will be a Special Meeting to go over each demand and might take two meetings to resolve the Union issues. Trustee Ramesh requested that a postcard be sent to the Village residents with the Unions final demands.

## **BUILDING AND ZONING - Joseph S. Messer**

Monthly Report – Trustee Messer reported that fifteen building permits were issued from September 16<sup>th</sup> to October 15<sup>th</sup>.

2 Tricia Lane: Property with two (2) barn structures, the existence of which caused the property to violate F.A.R. requirements. During the June 6<sup>th</sup> court hearing Mr. Patel told the Court that he had a contract to remove the smaller of the two barns and would seek a F.A.R. variance from the ZBA to allow the larger barn to remain. He has since removed the smaller barn. Mr. Patel appeared before the ZBA on September 17<sup>th</sup> and his request for a variance was denied.

**Update:** As of October 16<sup>th</sup> Mr. Patel has begun the process of demolition and the next court date for status is November 20<sup>th</sup>.

363 Bateman Cir S: Police Department served Ms. Marie Stallone (daughter who signed contract to have trees removed) for August 24<sup>th</sup> court date re: mitigation. Ms. Stallone failed to appear in Court. Next Status hearing September 27<sup>th</sup>. Village provided an affidavit of service on Ms. Stallone. Attorney Busch will ask the Court to enter an Order requiring Ms. Stallone to mitigate the damage by re-planting and a fine of \$750 per day for each day that she fails to comply with the Order. ComEd has cut service to this property.

**Update:** The Village Arborist to provide report advising the cost of replacement of the removed trees, per the Court's request. Next status date October 31<sup>st</sup>, at which time Attorney Busch will also seek an Order of Demolition for the barn/stable. Property ownership is still in dispute.

8 Jennifer Court: Landscape contractor submitted plans to correct septic problem July 25<sup>th</sup>. GHA reviewed plans and responded via letter on August 6<sup>th</sup>. GHA had five (5) issues with the plan. No response to date (no deadline for response given). Owner needs to disconnect downspouts from extending over the property to prevent flooding to neighbor's property.

**Update:** No further response to Village Engineer or Building Department as of October 19<sup>th</sup>. Code Enforcement Officer to send certified letter advising two (2) weeks to comply or matter will be referred to Village Attorney.

551-553 Cuba Road: Home Occupation violation (mulch pile & landscaping) letter sent July 20<sup>th</sup> with 45 day response date of September 4<sup>th</sup>. Dave Myers provided a letter to the Building Department on August 29<sup>th</sup> stating he is currently working on cleaning up the property. He plans to be in compliance within the next 60 days (October 23<sup>rd</sup>).

**Update:** Property to be checked for compliance before BOT meeting.

385 Spring Creek Road: Expired pond permit (issued August 7<sup>th</sup>). Final notice letter requiring work to be completed and an "as built" drawing filed with the Village sent to property owner,

Roman Udzielak on July 20<sup>th</sup> with 45 day response date of September 4<sup>th</sup>.

**Update:** No further response to Village Engineer or Building Department as of October 19<sup>th</sup>. Code Enforcement Officer to send certified letter advising two weeks to comply or matter will be referred to Village Attorney.

594 Plum Tree Road: Roads were started and property has become a dumping ground, although no further complaints since stop work order was posted. Realtor advised the Village the property is occupied by the owner. In March 2012, the Village attempted to hand deliver a letter requiring the owner to file a site development plan for the property based on the excess amount of material brought onto the property. All attempts to contact property owner have failed to result in any response from owner.

**Update:** Robert Kosin advised Barrington Area Conservation Trust has received an easement for this property. Awaiting response from BACT.

11-12 Rolling Hills Drive: Tenants at 12 Rolling Hills built dirt bike track crossing ravine and Al Zick's property at 11 Rolling Hills in multiple locations. Ravine filled and blocked with debris. This will cause flooding and standing water. Documentation provided to Attorney Busch to pursue restoration in Housing court. Attorney Busch filed a petition for declaration of premises as public nuisance and other relief and a summons was issued for both property owner and tenants.

**Update:** Ms. Orsini appeared in court, Mr. Mele (tenant) did not, and Dan Strahan has had contact with party working on restoration plan and Attorney Busch has requested review the property before court. Next date for status is October 31<sup>st</sup>.

ZBA Monthly Report - The Zoning Board of Appeals at its meeting of October 15, 2012 adopted, with assistance of Village Attorney, additions to its rules regarding the production of the required proof of notice. No action is required of the Board of Trustees and the ZBA will implement going forward.

Wesleyan Church Special Use – Trustee Messer referred to the recommendation of the Zoning Board of Appeals to approve the construction of a 40' x 60' free standing building for indoor recreation by members of the Church.

Steve Kim, Wesleyan Church stated that the structure is old and needs a facility for the children. The Church was purchased in 1975 and grandfathered in as a permitted use in the R1 District. In 1997, when the storage shed was built, it required a Special Use permit. At that time, the whole property should have been classified as a Special Use, but was not. By granting this Special Use for the recreational building, the property will be brought into compliance. The Church's architect brought in pictures of the new facility for the Trustees and opponents to the project to view. Trustee Messer asked about landscaping. Mr. Kim had no landscape plan at this time.

Jerome Lagod, 255 Dundee Road – stated he will be looking directly at this building and approving this facility will change the character of the area.

Barry Philips, 179G Tamarack Lane – read a letter he prepared opposing this project.

Julie Joyce, 176 Old Sutton Road – stated she is the only one that can see the home and she is in support of the new building and its use.

Linda Lagod, 255 Dundee Road – lives south of the church and stated the church has historical past as the Union Cemetery is on the land.

President Abboud asked for comments from the Trustees. Trustee Gianopulos stated that the Church has been a good friend to the Village. Trustee Ramesh reminded the Board of her comments last month, regarding rules not adhered to. Trustee Selman still approves as the Church is a good neighbor. Trustee Meroni stated that we keep reviewing an unusual circumstance. The Board is trying to listen to the residents, however, the Church followed all regulations. The Church should try to do some landscaping on the south side of the building. Trustee Messer stated that the church wanted to do something reasonable, but the neighbors do not want to look at it. The Church went through the proper process. He felt the Church should meet with the Lagod's to discuss landscaping. Trustee Gohl asked about future growth. Trustee Messer asked to move the item to next months meeting to resolve landscape plan. Attorney Wambach stated the landscape was not a issue before the Zoning Board of Appeals.

Wesleyan Church Special Use Resolution – Trustee Messer motioned to approve this resolution with slight modifications to the site plan on the south side landscaping. Trustee Selman seconded. All present said Aye.

#### **Resolution 12-26**

Building Permit Gov QA System - Dan Huizinga and Kent Hartsfield met with Don Schuman and Wendi Frisen of the Building Department, to discuss how the Village is handling permits, code enforcement and planning & zoning in Barrington Hills. GovQA's Community Development Platform (CDP) provides a very robust, easy-to-use system to handle Code enforcement, permits and planning/zoning issues.

#### **PLANNING – Elaine M. Ramesh**

Monthly Report – Trustee Ramesh advised that the September Plan Commission meeting was cancelled.

Spring Creek Watershed Plan Resolution - Trustee Ramesh motioned to approve this watershed plan resolution. Trustee Selman seconded. Roll Call.

Ayes: 6 (Selman, Meroni, Messer, Ramesh, Gohl & Abboud)

Nays: 1 (Gianopulos)

Absent: 0

#### **Resolution 12-27**

East Dundee IAA Land Use – Damaged vehicles are proposed to be stored on this property, reclaimed gravel pit. There are many issues to address such as lights and contamination of ground water. This is the only property East Dundee has in Cook County. IEPA has no record of IAA. IAA currently has a facility in Wheeling. President Abboud will be asking BACOG to assist the Village.

Carl Lawry, President of the Pond Gate Association – thanked the President and Board for all their support and asked if that land was property reclaimed. At the last East Dundee meeting, not all public were able to be inside and many were outside. All appreciated the Board's efforts.

Brian Dunlop, 508 Pond Gate – Wanted to know if IAA allowed, what happens next. He than thanked the Board for their support.

Divyang Joshi, 525 Pond Gate – thanked the Board for their guidance and support. He stated that the gravel pit was filled with construction debris.

CMAP - On October 10<sup>th</sup> CMAP has announced which Local Technical Assistance projects have been selected. Our Village was not selected.

VBH Planning Focus Area – Trustee Ramesh recommends Planning Area 3 and good area for the Plan Commission to come up with ideas of a long term plan. President Abboud suggested everyone look at the map and come back next month with suggestions as to which area to work on first.

#### **INSURANCE – Harold Gianopulos**

Monthly Report – Trustee Gianopulos advised that Blue Cross Blue Shield Health Insurance renewal increased 13% this year and will increase 26% next year. This is on health insurance only. Trustee Gohl and Gianopulos will meet to discuss this before the next Board meeting

#### **HEALTH, ENVIRONMENT, BUILDINGS & GROUNDS – Harold Gianopulos**

#### **ATTORNEY – Doug Wambach**

Pending Litigation - Covered in Executive Session.

Personnel – No report.

#### **ADMINISTRATION – President Abboud**

E911 Telephone System - Chief Murphy advised that AT&T will be replacing our phone system at a cost of \$175,000. The Village will pay 20% down and pay the balance over the next five years.

**Motion Approved**

**PUBLIC COMMENTS:** None

Trustee Gianopulos made the motion to adjourn the Public Session at 10:50 p.m. Trustee Gohl seconded. All present voted Aye:

**Meeting Adjourned**

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Approved